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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,473	10/15/2003	Joseph P. Wieczorek	0942-00309	1894
26659	7590	01/28/2005	EXAMINER	
DINNIN & DUNN, P.C. 2701 CAMBRIDGE COURT, STE. 500 AUBURN HILLS, MI 48326			MORROW, JASON S	
			ART UNIT	PAPER NUMBER
			3612	

DATE MAILED: 01/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

	Application No.	Applicant(s)
	10/686,473	WIECZOREK ET AL.
Examiner	Art Unit	
Jason S. Morrow	3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 9, 13, 20-26, 28 and 29 is/are withdrawn from consideration.
- 5) Claim(s) 27 is/are allowed.
- 6) Claim(s) 1-8, 14, 15 and 17-19 is/are rejected.
- 7) Claim(s) 10-12, 16 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 07 June 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/7/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 9, 13, 20-26, 28, and 29 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 10/29/04.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-8, 14, 15, and 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Mills.

Re claim 1, Mills discloses a sun visor for a motor vehicle comprising a pivot rod (16) adapted to attach with a vehicle headliner, a first shell (20) having at least one arcuate surface (see figures 12 and 14) on an interior side, a second shell (22) having at least one arcuate surface on an interior side (see figures 12 and 14), the shells being engageable to form an elongate visor body, wherein an engagement of said shells substantially aligns the arcuate surfaces about the pivot rod, the surfaces thereby rotatably and slidably retaining the pivot rod with the visor body.

Re claim 2, the arcuate retaining surfaces are arcuate ledges formed integrally with the shell portions (see figures 12 and 14, the upper right hand corner of the visor).

Re claim 3, first and second arcuate ledges are provided on the first and second shell portions, wherein said arcuate ledges are positioned substantially opposite one another about the pivot rod when the shells are engaged (see figures 12 and 14).

Re claim 4, the arcuate retaining surfaces are each substantially partially cylindrical and extend in a direction substantially parallel to a longitudinal peripheral edge of the visor body (see figures 12 and 14).

Re claim 5, the first and second shells are attached along a longitudinal peripheral edge, the shells being engageable by a folding along the edge thereby aligning the arcuate surfaces about the pivot rod (see figures 12 and 14).

Re claim 6, a combination slider and detent (120) is attached to the pivot rod, the slider being laterally offset from the pivot rod, and channels (the spaces between the parts 154, 156 and the fold line between the visor halves) are integrally molded in each of said first and second shells and adapted to slidably retain the slider therebetween.

Re claim 7, Mills discloses a sun visor for a motor vehicle comprising a pivot rod (16), a combination slider and detent (120) attached to the pivot rod, a first shell (20) having a first longitudinal channel integrally molded therein (the space between the part 154 and fold between the visor halves), a second shell having a second longitudinal channel integrally molded therein (the space between the part 156 and fold between the visor halves), the shells being engageable to form an elongate visor body, wherein engagement of said shells substantially aligns the first and second longitudinal channels about portions of the slider, the shells slidably retaining the slider therebetween.

Re claim 8, arcuate retaining surfaces are integrally formed with the first and second shell portions, wherein engagement of the shell portions aligns the arcuate retaining surfaces about said pivot rod.

Re claim 14, Mills discloses a method of manufacturing a sun visor comprising the steps of molding first and second visor shells (20, 22), wherein the visor shells are adapted to fit together to form an elongate visor body, and wherein at least one of the shells includes a molded longitudinal channel on an interior side (the spaces between the parts 154, 156 and the fold line between the visor halves), aligning a slider (120) attached to a pivot rod with the at least one shell having the channel, wherein at least portions of the slider are positioned in the channel, attaching the shells, thereby aligning the first and second shells such that the slider is slidably retained between the shells and at least portions of the slider are maintained within the channel during a sliding of the slider, wherein the slider is secured between the visor shells in a single assembly step, and is thereby slidably retained by the visor shells. Note the method steps are inherent to the reference.

Re claim 15, the step of molding first and second visor shells comprises molding the shells such that at least one of the shells includes a channel formed from thin walls (156, 154) projecting substantially normal to an interior surface of the shell.

Re claim 17, the step of molding first and second visor shells comprises molding the first and second shells to include arcuate retaining surfaces having partially circular cross sections, wherein the arcuate retaining surfaces rotatably and slidably retain the pivot rod (the upper right hand corners of the visor in figures 12 and 14).

Re claim 18, Mills discloses a sun visor manufactured according to the method of claim 14.

Re claim 19, the molding step further comprises molding first and second visor shells attached along a longitudinal peripheral edge (see figure 12).

Allowable Subject Matter

4. Claim 27 is allowed.
5. Claims 10-12 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hobson et al, Welter, and Peterson et al. disclose vehicle sun visors.

Any inquiry concerning this communication or earlier communications from the should be directed to Jason S. Morrow whose telephone number is (703) 305-7803. The examiner can normally be reached on Monday-Friday, 8:00a.m.-4:30p.m..

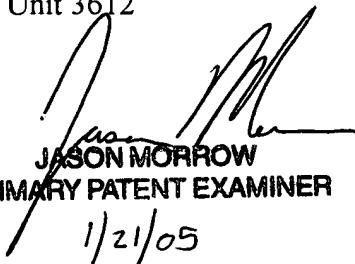
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason S. Morrow
Examiner
Art Unit 3612

January 21, 2005


JASON MORROW
PRIMARY PATENT EXAMINER
1/21/05